



February 15, 2019

John J. Sullivan

Direct Phone 212-453-3729

Direct Fax 646-461-2073

jsullivan@cozen.com

Hon. Vera M. Scanlon
United States Magistrate Judge
United States District Court for the Eastern
District of New York
225 Cadman Plaza East, 1214 South
Courtroom 13A-South Wing
Brooklyn, 11201

Re: *Monadnock Construction, Inc. v. Westchester Fire Ins. Co./Westchester Fire Ins. Co. v. Glasswall, LLC, et al.*
Case No: 1-16-cv-00420-JBW-VMS

Dear Judge Scanlon:

This firm represents Defendant/Third-Party Plaintiff, Westchester Fire Insurance Company ("Westchester") in this action and writes, in conjunction with Third-Party Defendant Glasswall, LLC in response to Your Honor's January 29, 2019 request that the Parties file a joint letter stating: (1) their respective positions with regard to the motion for partial summary judgment at [55]; and (2) the basis for subject matter jurisdiction and venue with respect to any remaining claims, including the claim raised in the motion at [141]. Accordingly, Westchester and Glasswall, LLC have attached their positions hereto as, respectively, Exhibits "A" and "B." As addressed in detail in Exhibit A, Westchester notes that it plans to file an Addendum as soon as possible to address arguments and case law raised by Glasswall in Exhibit B for the first time late in the day of the filing of this joint letter.

Respectfully,

COZEN O'CONNOR

/s/ John J. Sullivan

By: John J. Sullivan

Enclosures

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